

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JULY 6, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, July 6, 1966, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
KIRSTEN and WALTON (Mayor)

Absent: Councilmen - None

Also present were City Manager Graves, Administrative Assistant Peterson, City Attorney Mullen and Planning Director Schroeder.

MINUTES Action on the Minutes of June 15, 22, and 29, 1966 was postponed to the meeting of July 20, 1966, on motion of Councilman Brown, Culbertson second.

PUBLIC HEARINGS

1911 IMPROVEMENT Mr. Robert Blewett of Blewett, Blewett & Garretson of
ACT EXPLAINED Stockton, representing Lodi Development Corporation, explained to the Council the California 1911 Improvement Act which he said is widely used to develop property by the formation of an assessment district and issuance of bonds. In order to improve property under the 1911 Act, the Council initiates proceedings after receipt of a petition from property owner or owners asking for formation of the assessment district under the Act. ^{FOR ANY REASON, THE} ~~If the Council terminates~~ ^{ARE TERMINATED} proceedings before they are completed, the subdivider (property owner) pays the cost of the proceedings. If the proceedings are completed and the work is accepted as complete by the Council, the assessment becomes a lien on the property. If the amount of the assessment is not paid in thirty days, the assessment goes to bond. Mr. Blewett emphasized there would be no cost to the City, that inspection fees, servicing of bonds, preparation of tax bills, etc., would all be part of the assessment. The City would not be responsible for payment of the bonds in any way. Lodi Development Corporation is interested in knowing if the Council will accept a petition to form such an assessment district. After discussion of the 1911 Act proceedings, the bonds which would be issued and their effect on the purchasers of lots in the subdivision developed by this procedure, it was agreed by members of the Council that, without committing themselves in any way, they would be willing to entertain a petition for formation of an assessment district under the 1911 Act.

BANK OF
AMERICA
PROPOSED LOT
EXCHANGE

Notice thereof having been published in accordance with law, Mayor Walton called for hearing on the request of Bank of America to exchange the City's parking lot at the rear of the bank building at the corner of Oak and School Streets for a lot of similar size adjacent thereto and facing Church Street, being more explicitly the exchange of Lot 8 for Lot 7, Block 9, City of Lodi. Mr. Harry Drexel, Continental Service Company, San Francisco, spoke in behalf of the Bank of America. He explained that the Bank intended to lease the sites now occupied by Lodi Hardware, Haden's Jewelers and Crete's Studios, but it would be between one and one-half to two years before the present leases expire and the Bank could commence building. The present bank site would then be used for parking, as well as the present City

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parking lot to the rear, if the exchange is made. The Bank has preliminary plans only and does not wish to finalize them until such time as they are able to build. Mr. Graves said the City would not approve a drive-in window on the south side of the building because of traffic on School Street and that no curb cuts would be allowed on that street. Mr. Ben Schaffer, Realtor, 122 North Church Street, complimented the Bank for plans which would upgrade the downtown area and said he was in favor of the exchange. There were no others present who wished to speak in favor of the exchange. No one present wished to speak against the proposal, but Mr. Charles Veregge, Lodi Hardware, asked questions concerning a paying lot next to a free lot and said the City should know what the Bank is going to do with the lot before considering an exchange. Mr. Bill Canepa, 131 South Orange, also expressed concern over use of the lot. Mayor Walton said certain conditions would have to be part of the exchange and Mr. Drexel acknowledged that the City would have to protect itself. Mr. Graves stated the City would retain the utility lines which are in the parking lot. The Council also discussed the financial condition of the Parking District and the effect of an exchange on District revenues. The Council agreed that restrictions on the use of the lot and other conditions for the exchange should be spelled out. Councilman Kirsten moved that the City Administration be authorized to draw up a tentative agreement covering the exchange, for the Council's consideration. The motion was seconded by Councilman Hunnell. Stating that the public should have an opportunity to comment on the restrictions, Councilman Culbertson moved to amend the motion by adding that the hearing be continued for two weeks (at which time the proposed resolution would be presented). The motion was seconded by Councilman Brown and carried. The original motion as amended, authorizing the Administration to draw up a tentative agreement and continuing the hearing to July 20, carried by unanimous vote.

RECESS

At 9:35 p.m. the Council recessed, reconvening at 9:45 p.m.

PROPOSED A CAPELLA CHOIR TRIP TO JAPAN

Mr. Richard Johnston, 710 Turner Road, vocal instructor at Lodi Union High School, addressed the Council concerning plans to send the high school A Capella choir to Japan during the Christmas school recess under the auspices of the USO. He has corresponded with Senator George Murphy, Bob Hope and the USO. Mr. Johnston had contacted the USO because he felt the choir should have an opportunity to entertain our Armed Forces personnel, in addition to providing a cultural exchange with our sister-city Kofu. If the trip is undertaken through the USO it would also require the approval of the Department of Defense. Councilman Kirsten said he might be able to help by writing to Congressman McFall and Defense Department personnel. Other members of the Council expressed their interest in the project. Mr. Johnston said he would be happy to give a copy of his correspondence concerning the proposed trip to the City Clerk for forwarding to the members of the Council.

BEN SCHAFER RE "REALTOR"

Mr. Ben Schaffer, local realtor, explained to the Council the difference between a "realtor" and "licensed real estate broker," stating that the word "realtor" was copyrighted by the National Association of Real Estate Boards and could only be used by persons affiliated with that organization.

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PLANNING COMMISSION

At its meeting of June 27, 1966, the Planning Commission took the following actions of interest to the Council:

1. Recommended that the San Joaquin County Planning Commission and Board of Supervisors adopt the Precise Zoning of the Woodbridge Area as prepared by the County Planning Staff with certain minor modifications. It was further recommended that the County and City Planning Department prepare a Specific Street Plan for the Woodbridge Area.
2. Adopted a resolution establishing standards for off-street parking lots and parking spaces. These standards had been referred to the Traffic Consultant who recommended their approval.
3. Continued the consideration of (a) Westlake Subdivision #2 and (b) the request of Capell Land Development Company for P-D, Planned-Development Zoning at the southeast corner of Turner Road and Lower Sacramento Road.

COMMUNICATIONS

APPEAL - ZEMKE & JONES

A letter was read from Zemke & Jones, Inc., appealing the decision of the Planning Commission in denying their request for C-1 zoning for approximately 1½ acres located at the northeast corner of Kettleman Lane and Han Lane which is presently zoned C-P. On motion of Councilman Culbertson, Kirsten second, the matter was set for public hearing at the meeting of July 20, 1966.

MARY STARK RE SPRINKLERS

A letter was received from Mrs. Mary Stark, 1409 West Park Street, recommending the adoption of a code regulating the installation of sprinkling systems and stating that she was having trouble with water coming into her yard from her neighbor's sprinkling system.

CLAIM FOR DAMAGES

A claim for damages was received from the Maryland Casualty Company, fire insurance carrier for the Rainbow Motel, 607 S. Cherokee Lane, in the amount of \$3,868.16. The claim was rejected and referred to the City's Agent of Record for action on motion of Councilman Kirsten, Brown second.

PETITION RE VOGEL ADDITION RES. NO. 2954 ADOPTED

A petition was received from Philip J. and Genevieve B. Vogel requesting annexation of their property, consisting of 56.9 acres north and east of the Lone Oak Addition, as the "Vogel Addition." The property is uninhabited and has been approved for annexation to the City by the Local Agency Formation Commission of San Joaquin County. On motion of Councilman Kirsten, Brown second, the City Council adopted Resolution No. 2954 giving notice of the proposed annexation of the property as the "Vogel Addition" and setting public hearing thereon for July 20, 1966.

PETITION RE MELHAFF ADDN RES. NO. 2955 ADOPTED

A petition was received from Glen Z. Ayers requesting the annexation of his property consisting of 16.3 acres in the vicinity of 1581 South Stockton Street as the "Melhaff Addition." The property qualifies as uninhabited territory and its annexation to the City has been approved by the Local Agency Formation Commission of San Joaquin County. On motion of Councilman Culbertson, Kirsten second, the City Council adopted Resolution No. 2955 giving notice of the proposal to annex the property as the "Melhaff Addition" and setting public hearing thereon for July 20, 1966.

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PETITION RE
HOM ADDITIONRES. NO. 2956
ADOPTED

A petition was presented from property owners of not less than one-fourth of the land by area and by assessed valuation requesting annexation of 32.2 acres at the southwest corner of Lodi Avenue and Lower Sacramento Road to the City of Lodi as the "Hom Addition." The property is uninhabited territory and its annexation to the City has been approved by the Local Agency Formation Commission of San Joaquin County. On motion of Councilman Kirsten, Brown second, the City Council adopted Resolution No. 2956 giving notice of the proposed annexation of the "Hom Addition" to the City of Lodi and setting public hearing thereon for August 17, 1966.

ABC LICENSES

The following applications for Alcoholic Beverage License were noted:

1. Person to Person Transfer, Dropping Partners, Mary P. and Philip N. Johnson, Eleanor Smythe, and Elizabeth Williams, The Spot Club, 220 N. Cherokee Lane.
2. Person to Person Transfer, Leon Perlegos, Off Sale Beer & Wine, 1340 S. Hutchins Street.
3. Person to Person Transfer and Premises to Premises Transfer, Pauline A. Pollard and Riza Esmail, "Smiley's," 5 North Sacramento Street.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$1,480,711.04 were approved on motion of Councilman Kirsten, Culbertson second.

AMEND SERS
CONTRACTRES. NO. 2957
ADOPTED

Mr. Graves reported that the City's contract with the State Employees' Retirement System should be amended since the contract contains no provision for the exclusion of hourly employees, which the City intended. On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2957 amending the SERS contract and thereby excluding hourly employees from the retirement system.

LEASE OF
STADIUM

Mr. Graves presented a proposed lease agreement with Bay Promotions, Inc., for use of the Stadium on July 19, 1966 for the purpose of conducting a roller derby event. The lease is similar to other contracts for the use of the stadium, requiring payment for use of power, cleanup, 10¢ on each admission sold, liability insurance, etc. On motion of Councilman Kirsten, Brown second, the City Council approved the lease agreement with Bay Promotions, Inc., and authorized its execution by the Mayor on behalf of the City.

LAND PURCHASE -
SEWAGE TREATMENT
AREA

Tentative agreement has been reached for purchase of approximately 271 acres abutting the City's Thornton Road disposal area from the Red House Ranching Company for the sum of \$280,000, in which the appraiser concurs. City Attorney Mullen recommended that the offer be accepted. Councilman Culbertson, Kirsten second, moved that the offer of Red House Ranching Company be accepted. The motion carried unanimously.

SPECS -
CHLORINATION
FACILITIES

Specifications were presented for chlorination facilities to be installed at the present Sewage Treatment Plant. This work is being required by the State Water Pollution Control Board and will be used until this plant is abandoned. On motion of Councilman Kirsten, Culbertson second, the Council approved the plans and specifications for the chlorination facilities and authorized calling for bids thereon.

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SPECS -
STORM DRAIN
ON PLEASANT
AVENUE

Mr. Graves presented plans and specifications for the storm drain on Pleasant Avenue. This line is designed to serve the Civic Center area. On motion of Councilman Kirsten, Brown second, the City Council approved the plans and specifications for the above project and authorized calling for bids thereon.

SPECS -
FENCING FOR
BASIN B-1

Plans and specifications were presented for fencing in Basin B-1. Councilman Kirsten moved that the plans and specifications be approved and calling for bids authorized. The motion was seconded by Councilman Hunnell and carried.

SPECS -
VINEWOOD SCHOOL
TURFING &
SPRINKLERS

Plans and specifications were also presented for the turfing and sprinkling system at Vinewood School in the Basin B-1 area. On motion of Councilman Kirsten, Hunnell second, the City Council approved the plans and specifications for the turfing and sprinkling system at Vinewood School and authorized calling for bids thereon.

SPECS -
STREET
MATERIALS

Specifications for street materials to be used during the 1966-67 fiscal year were approved and advertising for bids authorized on motion of Councilman Culbertson, Kirsten second.

CROSSWALKS AT
HAM & LOCUST

RES. NO. 2958
ADOPTED

The City Manager explained that a number of requests have been received from residents on the east side of Ham Lane between Locust and Elm Streets for the installation of an additional crosswalk across Ham Lane to the Lakewood Shopping Center. After study, the Public Works Department recommended that a crosswalk be installed across Locust Street on the east side of Ham Lane and across Ham Lane on the north side of Locust Street. Sketches of the proposal were presented to the Council. On motion of Councilman Culbertson, Kirsten second, the City Council adopted Resolution No. 2958 establishing crosswalks as recommended.

DIVISION OF
HIGHWAYS
AGREEMENT

RES. NO. 2959
ADOPTED

Mr. Graves explained that a cooperative agreement with the Division of Highways is required in order to obtain matching funds for work on State highways within the City. Such an agreement has been prepared so that the City will be able to receive matching funds for work done on Kettleman Lane (State Highway 12). On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2959 approving the agreement and authorizing its execution by the Mayor.

LAWRENCE
BALLPARK
WALKWAYS

Mr. Graves showed the Council a sketch of the entrance area at Lawrence Baseball Park. Because of the narrowness of the blacktop walkway, people have been walking on the lawn area also, resulting in a muddy area where the lawn has ceased to grow. Mr. Graves said the walkway could be widened 10 feet but he recommended that further area be blacktopped to include walkways to the restrooms. In looking over the drawing, the Council felt the blacktop area should be increased in an area where the people would be inclined to walk. Councilman Kirsten said the "Crushers" should pay for the improvement. Councilman Culbertson moved that the plans for walkways at Lawrence Ballpark be approved with modifications made by the Council. His motion was seconded by Councilman Hunnell and carried with Councilman Kirsten voting no.

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STATE
EXAMINING
SERVICES

RES. NO. 2960
ADOPTED

Mr. Graves recommended that the City renew its contract with the Cooperative Personnel Services, California State Personnel Board, providing for examination services to the City. Changes have been made in the contract in regard to charges and test services which will be provided when requested by the City. On motion of Councilman Brown, Kirsten second, the City Council adopted Resolution No. 2960 approving the contract and authorizing its execution by the City Manager on behalf of the City.

ORDINANCES

REZONING NW
COR. CHEROKEE
& POPLAR

ORD. NO. 821
ADOPTED

ORDINANCE NO. 821, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE WEST 110 FEET OF LOTS 8 AND 9, LODI BARNHART TRACT, TO BE IN THE R-4 MULTIPLE FAMILY INSTITUTIONAL RESIDENTIAL DISTRICT AND THE EAST 490 FEET OF SAID LOTS TO BE IN THE C-2 GENERAL COMMERCIAL DISTRICT," having been introduced at the regular meeting of June 15, 1966, was brought up for passage on motion of Councilman Kirsten, Culbertson second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, HUNNELL,
KIRSTEN and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - None

1966-67
OPERATING
BUDGET

ORD. NO. 822
ADOPTED

ORDINANCE NO. 822, entitled "ADOPTING AN OPERATING BUDGET FOR THE SUPPORT OF THE VARIOUS DEPARTMENTS OF THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1966 AND ENDING JUNE 30, 1967," having been introduced at the adjourned regular meeting of June 29, 1966, was brought up for passage on motion of Councilman Kirsten, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

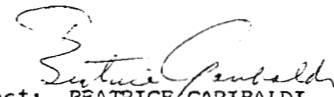
AYES: Councilmen - BROWN, CULBERTSON, HUNNELL,
KIRSTEN and WALTON

NOES: Councilmen - None

ABSENT: Councilmen - None

ADJOURNMENT

At 10:50 p.m. on motion of Councilman Kirsten, Hunnell second, the Council adjourned.

Attest: 
BEATRICE GARIBALDI
City Clerk